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# Highlights

Highlights of [GAO-05-777](#), a report to the Chairman and Ranking Minority Member, Committee on Homeland Security and Governmental Affairs, U.S. Senate

## Why GAO Did This Study

The E-Government Act of 2002 requires regulatory agencies, to the extent practicable, to ensure there is a Web site the public can use to comment on the numerous proposed regulations that affect them. To accomplish this, the Office of Management and Budget named the Environmental Protection Agency (EPA) as the managing partner for developing a governmentwide e-Rulemaking system that the public can use for these purposes. Issues GAO was asked to address include:

- EPA's basis for selecting a centralized system,
- how EPA collaborated with other agencies and agency views of that collaboration, and
- whether EPA used key management practices when developing the system.

## What GAO Recommends

GAO recommends that, to build on the success of this initiative, the Administrator of EPA, as managing partner of the initiative, take steps to ensure there are written agreements between EPA and participating agencies that include performance measures that address issues such as system performance, maintenance, and cost savings. These measures are necessary to provide criteria for evaluating the effectiveness of the initiative. E-Rulemaking Initiative officials said they agree with GAO's recommendation and they plan to implement it.

[www.gao.gov/cgi-bin/getrpt?GAO-05-777](http://www.gao.gov/cgi-bin/getrpt?GAO-05-777).

To view the full product, including the scope and methodology, click on the link above. For more information, contact Orice Williams (202) 512-5837 or [williamso@gao.gov](mailto:williamso@gao.gov).

# ELECTRONIC RULEMAKING

## Progress Made in Developing Centralized E-Rulemaking System

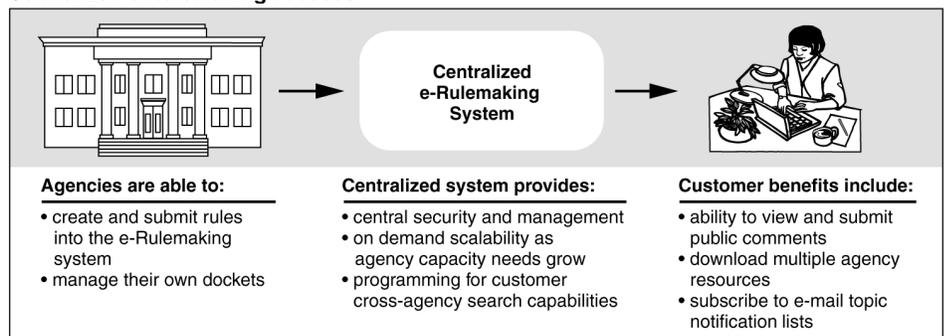
### What GAO Found

E-Rulemaking officials and the e-Rulemaking Initiative Executive Committee considered three alternative designs and chose to implement a centralized e-Rulemaking system based on cost savings, risks, and security. Officials relied on an analysis of the three alternatives using two cost and risk assessment models and a comparison of the alternatives to industry best practices. Prior to completing this analysis, officials estimated the centralized approach would save about \$94 million over 3 years. They said when they developed this estimate, there was a lack of published information about costs related to paper or electronic rulemaking systems. They used their professional judgment and information about costs for developing and operating EPA's paper and electronic systems, among other things, to develop the estimate.

E-Rulemaking officials extensively collaborated with rulemaking agencies and most officials at the agencies we contacted thought the collaboration was effective. E-Rulemaking officials created a governance structure that included an executive committee, advisory board, and individual work groups that discussed how to develop the e-Rulemaking system. We contacted 14 of the 27 agencies serving on the advisory board and most felt their suggestions affected the system development process. Agency officials offered several examples to support their views, such as how their recommendations for changes to the system's design were incorporated.

While managing the development of the centralized system, e-Rulemaking officials followed all but a few of the key practices for successfully managing an initiative. For example, officials did not have written agreements with participating agencies that included system performance measures. The first agencies began migrating to the centralized system in May 2005 with the public scheduled to have access in September 2005. Eventually, all rulemaking agencies will migrate to the centralized system; however, the schedule is tentative due in part to funding issues. As agencies migrate, e-Rulemaking officials are planning changes to the system including adding capabilities that exist in electronic systems operated by some agencies.

### Centralized e-Rulemaking Process



Source: GAO.